

## **OVERVIEW AND FREQUENTLY ASKED QUESTIONS NATIONAL REGISTER OF HISTORIC PLACES**

Created in 1966 as a result of the National Historic Preservation Act (NHPA), the National Register of Historic Places (or NRHP) is the nation's official list of properties worthy of preservation. Since 1966, over 90,000 properties have been listed, recognizing a diverse array of historical, architectural, and archaeological resources around the United States.

### **1. *Who lists a resource in the National Register?***

The National Register is managed by the National Park Service (NPS), who maintains all of the national standards for the identification and evaluation of resources for the program. Ultimately, it is the Keeper of the National Register, an office of the NPS, that lists properties in the National Register. However, the program receives a significant amount of support from state historic preservation offices, local governments, non-profit groups, and everyday citizens.

### **2. *What types of properties are eligible for the National Register?***

The National Register can accept any building, structure, object, site, or district (a concentration of several buildings, structures, objects, and/or sites) that meets the eligibility requirements of the program. First, the resource should demonstrate significance to history, architecture, or archaeology in some way. The property should have gained that importance fifty years or more from the present. However, in addition to age and importance, the resource must also demonstrate strong historic integrity to the period in which it became important.

### **3. *What are the benefits of listing a property in the National Register of Historic Places?***

For most owners of a property listed in the National Register in Nevada, the primary benefit is the prestige and notoriety gained from ownership of a resource important to local, state, or national history. Private owners of income-producing property may qualify for the [Federal Historic Preservation Tax Incentive Program](#), an investment credit managed jointly by the National Park Service, the Internal Revenue Service, and state historic preservation offices. Public and non-profit owners in Nevada may qualify for federal grants managed by the NVSHPO, or the Commission for Cultural Centers and Historic Preservation (CCCHP) grant program, coordinated by the same office. Nevada also has an Open Space Assessment program, governed by NRS 361A, which allows county governments to zone certain properties as open space, reducing the property tax liability of the owner. Owners interested in this program should contact their local county assessor to see if their county participates in the program.

The National Trust for Historic Preservation has compiled research about the [long-term benefits of preserving important historic resources](#), and found that in general, preservation promotes the

concept of sustainable communities, with sustainability measured in economic, social, and environmental terms.

**4. *Does listing in the National Register affect my private property rights?***

No. Listing a resource in the National Register has no effect on existing property rights. As stated in the NPS regulations for the program, the National Register is a planning tool [36 CFR 60.2(a)]. No part of the NHPA, as passed in 1966 or amended since, authorizes any federal, state, or local government to regulate privately-funded projects affecting historic resources that are on private property. However, participation in federal programs does require that a funded or permitted project meet Section 106 of the NHPA, which affords some protection to historic properties. Furthermore, under Nevada state law [NRS 383.121], properties of historic, archaeological, or paleontological importance that are on public land in Nevada (including local governments), must coordinate their efforts with the Nevada State Historic Preservation Office to maximize the preservation of publically-managed resources. For more information about how Section 106 might affect you, visit the NVSHPO website, or contact Rebecca Palmer, the State Historic Preservation Officer.

**5. *My property has already been considered historic and when I make changes or updates, they are reviewed by a government commission. Why is this different than the National Register?***

While the National Register does not change any property rights, local governments in Nevada can create their own historic registers, and if they so wish, can adopt zoning and building code provisions for those historic properties. This is a separate process from the National Register and is enacted by your city or county government.

Local preservation ordinances are authorized and governed under Nevada state law, specifically NRS Chapters 384 for Historic Districts, and Chapter 278 for Planning and Zoning. Many local governments use the National Register as a tool for their own planning and zoning decisions. Under federal law, chief elected local officials are notified when a property in their jurisdiction has been listed in the National Register. Based on that notification, some local governments and/or their citizens seek to ensure the protection of these important resources through a local zoning ordinance for historic preservation. However, in these cases, a local government must designate the property in a local historic register or equivalent before imposing regulations. Listing in the National Register alone does not authorize local governments to regulate private property for historic preservation purposes.

The Comstock Historic District (CHD) is a special state district established by the State Legislature in 1969 for the protection of resources that reflect Nevada's foundations as a state. Property within the CHD is regulated by state statute under NRS 384, and overseen jointly by the NVSHPO and the Comstock Historic District Commission.

## **6. What is the “fifty-year rule”?**

In general, any property that is nominated to the National Register should have become important at least 50 years ago. However, this “rule” is truly more a “guideline” that discourages the consideration of properties that might be too young for researchers to truly understand their importance. Exceptions are made for resources that are rare or exceptional in some way. The period of fifty years is somewhat arbitrary, but allows enough time and perspective for historians to develop a context in which to evaluate the importance of a particular resource.

## **7. Who can be involved with a nomination to the National Register?**

The nomination process for the National Register is open to the public at all stages. Any person or organization can nominate a property provided that they can complete the NPS nomination form. However, there are several individuals and entities that *must* be involved as a matter of federal and state law:

*The property owner* – Federal law requires that the owner of a nominated property be notified of the nomination and be allowed a sufficient period to object to, or provide comment on, the nomination. If an owner objects to a nomination, the process ends immediately, but the state historic preservation officer may submit the nomination to the NPS for a determination of eligibility only, without the property being listed.

*The Nevada State Historic Preservation Office* – Under federal law, all nominations on non-federal land must be submitted to the NVSHPO for review before they are submitted to the Keeper. The NVSHPO maintains staff familiar with the process and requirements for listing, and can assist nominating individuals in completing the necessary documentation. The NVSHPO also submits the final document to the Keeper for listing.

*The Nevada Board of Museums and History* – This governor-appointed board serves as Nevada’s “state review board,” a board that all states are required to have for participation in the National Register. The Board reviews all nominations for completeness, accuracy, and eligibility, and makes a recommendation to the NVSHPO regarding submission to the Keeper. The Board includes several specialists in historic preservation and related fields.

*Certified Local Governments* – Nominated resources may be located within a Certified Local Government (CLG) in Nevada, including Carson City, Las Vegas, Reno, and Storey County. In cases where a local government has been certified for participation in the national historic preservation program, their local administrators and commissioners are integral to the listing process. A National Register listing reflects a successful collaboration between local, State and federal government.

**8. I want to make sure I am preserving my historic property. Where do I find help?**

The Department of the Interior, through the NPS' Technical Preservation Services (TPS) Division, provides guidance for the maintenance of historic properties. This guidance is referred to as [The Secretary of the Interior's Standards for the Treatment of Historic Properties](#) (or, the *Secretary's Standards*). Private property owners using private funding for development are under no obligation to use the *Secretary's Standards*, but may elect to do so to ensure that their property reflects the history for which it is important, and continues to be listed in the National Register.

For assistance in applying the *Secretary's Standards*, property owners are encouraged to check first with their local government regarding any local regulations with which the owner is legally obligated to comply. The local government may have a preservation specialist or a local board or commission member with experience applying the *Secretary's Standards* that can be of assistance as well. The NVSHPO can also provide technical assistance to property owners on their request, however, that assistance is not binding, and is for the owner's benefit and consideration only. Nevada also has several non-profit organizations devoted to historic preservation that may be of help, including [PreserveNevada](#), the [Nevada Preservation Foundation](#), and the [Historic Reno Preservation Society](#).

*For additional information about the National Register, including obtaining copies of previous nominations or discussing options, technical assistance for owners of listed properties, or for submitting new nominations, please contact:*

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